



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER
FILTER07

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
BETTY FRANCISCO
304-558-0468

VENDOR

*709055932 304-824-7470
WHITES NAPA AUTO STORE
RT 1 BOX 5

HAMLIN WV 25523

SHIP TO

ALL STATE AGENCIES
AND POLITICAL SUBDIVISIONS
VARIOUS LOCALES AS INDICATED
BY ORDER

| | | | | |
|-----------------------------------|---------------|----------|--------|---------------|
| DATE PRINTED 05/25/2006 | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|-----------------------------------|---------------|----------|--------|---------------|

BID OPENING DATE: **06/13/2006** BID OPENING TIME **01:30PM**

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|--------|-------------|------------|--------|
| ADDENDUM NO. 01 | | | | | | |
| 1. | | | | | | |
| REVISED PRICING PAGES ARE ATTACHED (REVISED 5/25/06. BIDDERS MUST USE THESE PAGES TO SUBMIT BIDS. CHANGES TO THESE PAGES INCLUDE: A. LINE 50 FROM THE ORIGINAL PRICING PAGE HAS BEEN DELETED. B. LINES 3, 10, 14, 32, 42 AND 49 CONTAINED MORE THAN ONE ITEM-THE SECOND AND IN SOME CASES, THE THIRD ONE WERE OBSOLETE ITEMS. THE OBSOLETE NUMBERS HAVE BEEN DELETED. | | | | | | |
| 2. | | | | | | |
| YOU ARE NOT REQUIRED TO SEND A COPY OF YOUR BID TO THE AUDITOR'S OFFICE. | | | | | | |
| 3. | | | | | | |
| THE VENDOR CERTIFICATION IS ATTACHED. THIS FORM MUST BE SIGNED PRIOR TO ANY CONTRACT AWARD. | | | | | | |
| 4. | | | | | | |
| ADDENDUM ACKNOWLEDGEMENT IS ATTACHED. THIS ACKNOWLEDGEMENT SHOULD BE SIGNED AND RETURNED WITH YOUR BID. FAILURE TO DO SO MAY DISQUALIFY YOUR BID. | | | | | | |
| 5. | | | | | | |
| A DISKETTE WITH THE EXCEL DOCUMENT IS ENCLOSED. VENDORS ARE REQUESTED TO TYPE THEIR BIDS. YOU ARE ALSO REQUESTED TO RETURN COMPLETED DISK ALONG WITH THE REQUIRED PAPER COPY OF THE PRICING PAGES. IF THERE ARE ANY DIFFERENCES BETWEEN THE PAPER AND ELECTRONIC VERSIONS, THE PAPER COPY SHALL PREVAIL. | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|---|----------------------------------|-----------------------------------|
| SIGNATURE <i>John D. [Signature]</i> | TELEPHONE 304-824-7470 | DATE 6-13-06 |
| TITLE owner | FEIN 55-0762-376 | ADDRESS CHANGES TO BE NOTED ABOVE |

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

**GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required registration fee. (Effective June 8, 2006, the fee will change from \$45.00 to \$125.00 pursuant to House Bill 4031.)
5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this contract is automatically null and void, and is terminated without further order.
14. **HIPAA Business Associate Addendum** - The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in cases of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **DUPLICATE BIDS:** All quotations must be delivered by the bidder to the respective offices listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications.

ORIGINAL SIGNED BID TO:

Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

NOTICE: Beginning June 8, 2006, there is no need to submit a duplicate bid to the State Auditor's Office pursuant to House Bill 4031.

VENDOR: Walt's NAPA

PRICING PAGE - FILTER07

| ITEM # | DESCRIPTION | *VENDOR ITEM # | EST QTY | BIDDER'S ITEM # | LIST PRICE | DISCOUNT FROM LIST | NET PRICE | TOTAL |
|--------|----------------------|----------------|---------|-----------------|------------|--------------------|-----------|-------------|
| 1 | AF1032A - Lub Filter | 100661 | 702 | *6134 | \$15.43 | 82% | \$2.78 | \$1,949.73 |
| 2 | AF7877 | 100706 | 347 | *6077 | \$17.86 | 82% | \$3.21 | \$1,115.54 |
| 3 | PH253 | 100872 | 1372 | *1085MP | \$9.94 | 82% | \$1.79 | \$2,454.78 |
| 4 | G6593 | 104944 | 192 | *3656MP | \$16.60 | 82% | \$2.99 | \$573.70 |
| 5 | FP20 | 100715 | 252 | 1243MP | \$12.46 | 79.90% | \$2.50 | \$631.12 |
| 6 | G481 | 100732 | 304 | *3481MP | \$20.77 | 82% | \$3.74 | \$1,136.53 |
| 7 | LF3579 | 100779 | 440 | 3232 | \$78.23 | 79.90% | \$15.72 | \$6,918.66 |
| 8 | LF2285 | 100803 | 786 | 1799MP | \$57.06 | 79.90% | \$11.47 | \$9,014.68 |
| 9 | PH820 | 100892 | 2063 | *1372MP | \$10.26 | 82% | \$1.85 | \$3,809.95 |
| 10 | LF3191 | 100807 | 994 | 1791MP | \$21.14 | 79.90% | \$4.25 | \$4,223.65 |
| 11 | PH400 | 100855 | 678 | *1516MP | \$9.69 | 82% | \$1.74 | \$1,182.57 |
| 12 | PH51A | 100888 | 288 | *1036MP | \$9.69 | 82% | \$1.74 | \$502.33 |
| 13 | LA1878 | 102804 | 679 | 6433 | \$85.77 | 79.90% | \$17.24 | \$11,705.80 |
| 14 | LF3349 | 103460 | 619 | 3403 | \$25.06 | 79.90% | \$5.04 | \$3,117.94 |
| 15 | PH44 | 104185 | 232 | *1042 | \$11.77 | 82% | \$2.12 | \$491.52 |
| 16 | LA3585 | 104673 | 579 | 6429 | \$57.66 | 79.90% | \$11.59 | \$6,710.41 |
| 17 | LA9099 | 108215 | 530 | 6870 | \$137.37 | 79.90% | \$27.61 | \$14,634.03 |
| 18 | LA9102 | 108563 | 548 | 6871 | \$111.49 | 79.90% | \$22.41 | \$12,280.40 |
| 19 | LA9545 | 100773 | 300 | 2253 | \$107.49 | 79.90% | \$21.61 | \$6,481.65 |
| 20 | LF780 | 100825 | 197 | 1607MP | \$15.60 | 79.90% | \$3.14 | \$617.71 |
| 21 | AF1519 | 104617 | 104 | *2487 | \$28.31 | 82% | \$5.10 | \$529.96 |
| 22 | LA7640 | 100770 | 173 | 2254 | \$71.66 | 79.90% | \$14.40 | \$2,491.83 |
| 23 | AF1300 | 102794 | 153 | 6440 | \$34.51 | 79.90% | \$6.94 | \$1,061.29 |
| 24 | LF3347 | 105312 | 154 | *3528 | \$26.23 | 82% | \$4.72 | \$727.10 |
| 25 | LF2749 | 106088 | 116 | 3674MP | \$36.17 | 79.90% | \$7.27 | \$843.34 |
| 26 | LA3390 | 106316 | 134 | 6528 | \$68.06 | 79.90% | \$13.68 | \$1,833.13 |
| 27 | LA5813 | 106317 | 191 | 6527 | \$138.00 | 79.90% | \$27.74 | \$5,297.96 |
| 28 | LA2526 | 106359 | 127 | 2651 | \$82.26 | 79.90% | \$16.53 | \$2,099.85 |
| 29 | L3887F | 106411 | 179 | 3532 | \$40.51 | 79.90% | \$8.14 | \$1,457.51 |
| 30 | AF3588 | 107598 | 105 | *2329 | \$25.43 | 82% | \$4.58 | \$480.63 |
| 31 | L296F | 100747 | 149 | 3166MP | \$12.80 | 79.90% | \$2.57 | \$383.35 |
| 32 | PH1218 | 100868 | 120 | *1060MP | \$9.69 | 82% | \$1.74 | \$209.30 |
| 33 | PH8A | 100895 | 140 | *1515MP | \$9.06 | 82% | \$1.63 | \$228.31 |
| 34 | LF4783 | 102315 | 116 | 3626 | \$28.74 | 79.90% | \$5.78 | \$670.10 |
| 35 | LF3301F | 100808 | 112 | 3353 | \$18.03 | 79.90% | \$3.62 | \$405.89 |
| 36 | FP586F | 100718 | 137 | 3358MP | \$18.23 | 79.90% | \$3.66 | \$502.00 |
| 37 | LF3530 | 100777 | 182 | 3338MP | \$23.86 | 79.90% | \$4.80 | \$872.85 |
| 38 | LF440F | 100815 | 101 | 3352MP | \$15.49 | 79.90% | \$3.11 | \$314.46 |

VENDOR: White's NAPA

PRICING PAGE - FILTER07

| ITEM # | DESCRIPTION | *VENDOR ITEM # | EST QTY | BIDDER'S ITEM # | LIST PRICE | DISCOUNT FROM LIST | NET PRICE | TOTAL | |
|--------------------------------|-------------|----------------|---------|-----------------|------------|--------------------|-----------|--------------------|---------------------|
| 39 | LFP815FN | 100829 | 78 | 318MP | \$19.57 | 79.90% | \$3.93 | \$306.82 | |
| 40 | LFP2160 | 102490 | 94 | 1971MP | \$37.34 | 79.90% | \$7.51 | \$705.50 | |
| 41 | LAF9544 | 102518 | 186 | 2491 | \$142.60 | 79.90% | \$28.66 | \$5,331.24 | |
| 42 | LF3417 | 102882 | 112 | 3357 | \$20.97 | 79.90% | \$4.21 | \$472.08 | |
| 43 | L4596F | 106319 | 100 | 3518 | \$73.31 | 79.90% | \$14.74 | \$1,473.53 | |
| 44 | LAF1848 | 100758 | 144 | 6893 | \$334.37 | 79.90% | \$67.21 | \$9,678.01 | |
| 45 | LAF292 | 100762 | 79 | 2714 | \$11.11 | 79.90% | \$2.23 | \$176.42 | |
| 46 | LFP3000 | 100806 | 212 | 1748MP | \$80.51 | 79.90% | \$16.18 | \$3,430.69 | |
| 47 | PH47 | 100887 | 144 | 1040MP | \$9.69 | 82% | \$1.74 | \$251.16 | |
| 48 | LAF1813 | 103284 | 175 | 6722 | \$150.51 | 79.90% | \$30.25 | \$5,294.19 | |
| 49 | LF3349 | 103460 | 84 | 3403 | \$25.06 | 79.90% | \$5.04 | \$423.11 | |
| BRAND BID: NAPA FILTERS | | | | | | | | GRAND TOTAL | \$137,504.31 |

VENDOR NAME: WHITE'S NAPA PHONE: (304) 824-7470

CONTACT PERSON: JOHN WHITE JR (Please print) FAX: (304) 824-3006

CONTACT PERSON: *John White* (Signature) EMAIL: MICHELLE WILLIAMS@GENPT.COM

CONTACT PERSON: *6-13-06* (Date)

* ITEM # shown is that of current Vendor - Vehicle Maintenance Program

NAPA Filters Light Duty Category

| | | | |
|--|--------|------|--------------------|
| WV-36a STATE OF WEST VIRGINIA PURCHASING CONTINUATION SHEET | Buyer: | Page | Req. or P. O. No.: |
|--|--------|------|--------------------|

| | |
|---------------------------------|----------------|
| Vendor: <u>White's NAPA Inc</u> | Spending Unit: |
|---------------------------------|----------------|

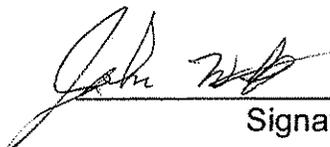
Requisition No.: Filter 07

ADDENDUM ACKNOWLEDGEMENT

I hereby acknowledge receipt of the following checked addendum(s) and have made the necessary revisions to my proposal, plans and/or specifications, etc.

- Addendum No.'s:**
- No. 1 ✓
 - No. 2 ✓
 - No. 3 ✓
 - No. 4 ✓
 - No. 5 ✓

I understand that failure to confirm the receipt of the addendum(s) is cause for rejection of bids.


Signature

White NAPA
Company

6-13-06
Date



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ALL STATE AGENCIES
 AND POLITICAL SUBDIVISIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

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|------------------------------|---------------|--------------------------|--------|---------------|
| DATE PRINTED 05/12/2006 | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| BID OPENING DATE: 06/13/2006 | | BID OPENING TIME 01:30PM | | |

| LINE | QUANTITY | UOP | CAT NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|---------|-------------|------------|--------|
| REQUEST FOR QUOTATION THE PURCHASING DIVISION IS SOLICITING BIDS FOR A BLANKET OPEN-END STATEWIDE CONTRACT TO SUPPLY FILTERS (AIR, OIL, FUEL AND GAS) TO ALL WEST VIRGINIA STATE AGENCIES AND POLITICAL SUBDIVISIONS. ***** MANDATORY PRE-BID MEETING A MANDATORY PRE-BID MEETING SHALL BE HELD ON 5/25/06 AT 11:00 A.M. THE MEETING WILL BE HELD IN THE PURCHASING DIVISION CONFERENCE ROOM LOCATED AT 2019 WASHINGTON STREET, EAST, CHARLESTON, WV 25305. THIS IS BUILDING 15 AT THE CAPITOL COMPLEX. ANY VENDOR WHO WISHES TO BID ON THIS CONTRACT MUST BE REPRESENTED AT THIS MEETING. FAILURE TO ATTEND THE PRE-BID CONFERENCE SHALL DISQUALIFY A VENDOR FROM BIDDING ON THIS CONTRACT. NO PERSON CAN REPRESENT MORE THAN ONE BIDDER. ***** SEE THE ATTACHED FILTER07 SPECIFICATIONS, DATED MAY 11, 2006, THREE PAGES. PRICING PAGES ARE ATTACHED. BIDDERS ARE REQUESTED TO COMPLETE ALL COLUMNS AND INCLUDE ALL INFORMATION REQUESTED. THE ATTACHED VENDOR CERTIFICATION MUST BE SIGNED PRIOR TO AWARD OF ANY CONTRACT. | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|---------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>[Signature]</i> | TELEPHONE 304-824-3002 | DATE 6-13-06 |
| FFILE <i>[Signature]</i> | FEIN 55-0762376 | ADDRESS CHANGES TO BE NOTED ABOVE |

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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| 05/12/2006 | | | | |

BID OPENING DATE: 06/13/2006 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|----------|-------------|------------|--------|
| 0001 | 1 | JB | | 060-42 | | |
| FILTERS: OIL, AIR, AND FUEL IMPORTANT NOTE: DELIVERIES SHALL BE MADE TO VARIOUS LOCALES AS INDICATED BY ORDER. DELIVERY SHALL BE TO ANY WEST VIRGINIA ADDRESS AS REQUESTED AT THE TIME OF THE ORDER. TERMS AND CONDITIONS THE MINIMUM ORDER FOR FREE SHIPPING TO ONE, IN-STATE DESTINATION SHALL BE \$100.00. FOR ORDERS LESS THAN \$100.00, THE VENDOR MAY ADD ACTUAL SHIPPING COSTS (PREPAID) TO THE INVOICE AS A SEPARATE ITEM, OR IN ORDER TO MAKE A FAIR COMPARISON OF ALL BIDS RECEIVE IT IS MANDATORY FOR ALL BIDDERS TO QUOTE PRICES AS F.O.B. DESTINATION WITH ALL SHIPPING CHARGES INCLUDED. ALL FILTERS FURNISHED PURSUANT TO THIS CONTRACT MUST BE MANUFACTURED IN THE UNITED STATES. ELEMENTS SHALL BE FROM FIRST GRADE FILTER MEDIA. ALL LUBRICATION OIL, BYPASS, FULL-FLOW ELEMENTS MUST CONFORM TO FEDERAL SPECIFICATIONS, F-F351C, LATEST ISSUE. VERIFICATION OF PRODUCT QUALITY IS THE RESPONSIBILITY OF THE VENDOR. THE STATE MAY REQUIRE CERTIFIED MAIL TEST DATA, CERTIFICATIONS OR SAMPLES FOR TESTING. THE | | | | | | |

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| | | |
|---------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>[Signature]</i> | TELEPHONE 304-824-7470 | DATE 6-13-06 |
| TITLE <i>[Signature]</i> | FEIN 55-0762-376 | ADDRESS CHANGES TO BE NOTED ABOVE |

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| <p>COSTS ASSOCIATED WITH SUCH VERIFICATION WILL BE BORNE BY THE VENDOR.</p> <p>NONCONFORMING MATERIALS MAY BE RETURNED TO THE VENDOR AT NO EXPENSE TO THE STATE.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|---------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>[Signature]</i> | TELEPHONE 304-824-7470 | DATE 6-13-06 |
| ATTN <i>[Signature]</i> | FEIN 55 0762 - 376 | ADDRESS CHANGES TO BE NOTED ABOVE |

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| <p>TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT. THE WV-39 IS NOT REQUIRED IF AGENCY IS PURCHASING THROUGH P-CARD.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A LOCAL BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|---|---------------------------|-----------------------------------|
| SIGNATURE <i>John W. [Signature]</i> | TELEPHONE 304-824-7470 | DATE 6-13-06 |
| TYPE owner | FEIN 55 0 762 376 | ADDRESS CHANGES TO BE NOTED ABOVE |

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|--------------|---------------|----------|--------|---------------|
| 05/12/2006 | | | | |

BID OPENING DATE: 06/13/2006 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|---------|-------------|------------|--------|
| AGENCY FOR ORDERS THAT ARE LESS THAN \$2,500 AS A CONDITION OF AWARD. VENDOR PREFERENCE CERTIFICATE CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS). A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED: <input checked="" type="checkbox"/> BIDDER IS AN INDIVIDUAL RESIDENT VENDOR AND HAS RESIDED CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR <input type="checkbox"/> BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR 80% OF THE OWNERSHIP INTEREST OF BIDDER IS HELD BY ANOTHER INDIVIDUAL, PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR WHO HAS MAINTAINED ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR <input type="checkbox"/> BIDDER IS A CORPORATION NONRESIDENT VENDOR WHICH HAS AN AFFILIATE OR SUBSIDIARY WHICH EMPLOYS A MINIMUM OF ONE HUNDRED STATE RESIDENTS AND WHICH HAS MAINTAINED ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS WITHIN WEST VIRGINIA CONTINUOUSLY FOR THE FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION. | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|---------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>[Signature]</i> | TELEPHONE 304-824-7470 | DATE 6-13-06 |
| TITLE <i>[Signature]</i> | FEIN 650762376 | ADDRESS CHANGES TO BE NOTED ABOVE |

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER
 FILTER07

PAGE
 6

ADDRESS CORRESPONDENCE TO ATTENTION OF:
 BETTY FRANCISCO
 304-558-0468

*709055932 304-824-7470
 WHITES NAPA AUTO STORE
 RT 1 BOX 5
 HAMLIN WV 25523

VENDOR

SHIP TO

ALL STATE AGENCIES
 AND POLITICAL SUBDIVISIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

| | | | | |
|------------------------------|---------------|--------------------------|--------|---------------|
| DATE PRINTED 05/12/2006 | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| BID OPENING DATE: 06/13/2006 | | BID OPENING TIME 01:30PM | | |

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|----------|-----|----------|-------------|------------|--------|
| <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p><input checked="" type="checkbox"/> BIDDER IS A RESIDENT VENDOR WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES WORKING ON THE PROJECT BEING BID ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID;</p> <p>OR</p> <p><input type="checkbox"/> BIDDER IS A NONRESIDENT VENDOR EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS OR IS A NONRESIDENT VENDOR WITH AN AFFILIATE OR SUBSIDIARY WHICH MAINTAINS ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS WITHIN WEST VIRGINIA EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES OR BIDDERS' AFFILIATE'S OR SUBSIDIARY'S EMPLOYEES ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX & REVENUE DETERMINES THAT A BIDDER RECEIVING PREFERENCE HAS FAILED TO CONTINUE TO MEET THE REQUIREMENTS FOR SUCH PREFERENCE, THE SECRETARY MAY ORDER THE DIRECTOR OF PURCHASING TO: (A) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; OR (B) ASSESS A PENALTY AGAINST SUCH BIDDER IN AN AMOUNT NOT TO EXCEED 5% OF THE BID AMOUNT AND THAT SUCH PENALTY WILL BE PAID TO THE CONTRACTING AGENCY OR DEDUCTED FROM ANY UNPAID BALANCE ON THE CONTRACT OR PURCHASE ORDER.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|---------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <i>John W. ...</i> | TELEPHONE 304-824-7470 | DATE 6-13-06 |
| FILE <i>Owner</i> | FEIN 55 07 62 376 | ADDRESS CHANGES TO BE NOTED ABOVE |

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



State of West Virginia
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 2019 Washington Street East
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 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER
 FILTER07

PAGE
 7

ADDRESS CORRESPONDENCE TO ATTENTION OF
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 304-558-0468

*709055932 304-824-7470
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ALL STATE AGENCIES
 AND POLITICAL SUBDIVISIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

| | | | | |
|------------------------------|---------------|--------------------------|--------|---------------|
| DATE PRINTED 05/12/2006 | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
| BID OPENING DATE: 06/13/2006 | | BID OPENING TIME 01:30PM | | |

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|--------|-------------|------------|--------|
| <p>PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND REVENUE TO DISCLOSE TO THE DIRECTOR OF PURCHASING APPROPRIATE INFORMATION VERIFYING THAT BIDDER HAS PAID THE REQUIRED BUSINESS TAXES, PROVIDED THAT SUCH INFORMATION DOES NOT CONTAIN THE AMOUNTS OF TAXES PAID NOR ANY OTHER INFORMATION DEEMED BY THE TAX COMMISSIONER TO BE CONFIDENTIAL.</p> <p>UNDER PENALTY OF LAW FOR FALSE SWEARING (WEST VIRGINIA CODE 61-5-3), BIDDER HEREBY CERTIFIES THAT THIS CERTIFICATE IS TRUE AND ACCURATE IN ALL RESPECTS; AND THAT IF A CONTRACT IS ISSUED TO BIDDER AND IF ANYTHING CONTAINED WITHIN THIS CERTIFICATE CHANGES DURING THE TERM OF THE CONTRACT, BIDDER WILL NOTIFY THE PURCHASING DIVISION IN WRITING IMMEDIATELY.</p> <p>BIDDER: <u>Whites NAPA inc</u></p> <p>DATE: <u>6-13-06</u></p> <p>SIGNED: <u>[Signature]</u></p> <p>TITLE: <u>owner</u></p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00)</p> <p>NOTICE</p> | | | | | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|---------------------------------|---------------------------|-----------------------------------|
| SIGNATURE <u>[Signature]</u> | TELEPHONE 304-824-7470 | DATE 6-13-06 |
| TITLE <u>owner</u> | FEIN 65-0762 376001 | ADDRESS CHANGES TO BE NOTED ABOVE |

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



State of West Virginia
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 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER
FILTER07

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9

ADDRESS CORRESPONDENCE TO ATTENTION OF
BETTY FRANCISCO
304-558-0468

*709055932 304-824-7470
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 HAMLIN WV 25523

POSTAL

SHIP TO

ALL STATE AGENCIES
 AND POLITICAL SUBDIVISIONS
 VARIOUS LOCALES AS INDICATED
 BY ORDER

| | | | | |
|----------------------------|---------------|----------|--------|---------------|
| DATE PRINTED 05/12/2006 | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|----------------------------|---------------|----------|--------|---------------|

BID OPENING DATE: **06/13/2006** BID OPENING TIME **01:30PM**

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|--|----------|-----|--------|-------------|------------|-------------------|
| ***** THIS IS THE END OF RFQ FILTER07 ***** TOTAL: | | | | | | <u>137,604.31</u> |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|-----------------------------------|----------------------------------|-----------------------------------|
| SIGNATURE <i>John W. De...</i> | TELEPHONE 304-824-7470 | DATE 6-13-06 |
| TITLE <i>owner</i> | FEIN 650762376 | ADDRESS CHANGES TO BE NOTED ABOVE |

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

FILTER07 Specifications

SCOPE

Products to be provided under this contract are automotive filters (air, oil, fuel and gas) products. This is a Request for Quotation; a single award for all items shall be issued to the lowest responsible bidder, whose products meet the minimum quality defined herein. This shall be a discount from list contract, with all available filters from vendor catalog covered under such contract.

Mandatory Pre-Bid Meeting

A mandatory pre-bid meeting shall be held on 5/25/06 at 11:00 a.m. the meeting will be held in the Purchasing Division Conference Room located at 2019 Washington Street, East (Capitol Complex – Building 15), Charleston, WV 25305. Any vendor who wishes to bid on this contract must be represented at this meeting. Failure to attend the pre-bid conference shall disqualify a vendor from bidding on this contract. No person can represent more than one bidder.

General Information

1. All products bid, furnished and delivered must meet the needs of the State of West Virginia. Each item on the pricing pages that vendor bids must be identified with the manufacturer's number and the vendor's item number on the bid form. Failure to indicate a minimum quantity shall require the vendor to ship any quantity of that product ordered, regardless of quantity ordered.
2. If any discrepancies exist in the bid price pages, the discount percentage quoted shall prevail as the unit price. Other math errors may be corrected by the buyer for evaluation prices. The discount quoted shall be used in any subsequent contract awarded.
3. Bidders shall complete the pricing on "FILTER07 Pricing Pages". Bidders should complete all information requested. Quantities for each item represent the approximate volume of anticipated purchases. No future contract quantity is implied.
4. Vendor must state the name, date and or identification number of the catalog to which the discounts apply. Failure to complete all information requested on the pricing pages may be grounds for disqualification.
5. The bidder with the lowest overall cost who meets or exceeds the acceptable quality shall be awarded a contract. The discount percentage quoted shall remain the same during the entire contract period, including any renewals.

FILTER07 Specifications

6. While the state prefers one discount from list, vendor may offer various discounts **BY CATEGORY. VENDOR SHALL NOT OFFER NET PRICES ON THE PRICING PAGE ITEMS IN ORDER TO HAVE A LOWER PRICE FOR THESE ITEMS! EACH CATEGORY MUST BE CLEARLY DEFINED AND THE CATEGORY APPLIED TO THE ITEM.**
7. The catalogs may be updated at renewal. If the Purchasing Division extends the offer to renew and the catalog prices have significant price increases, Purchasing may decline and rebid the contract.
8. Orders shall be delivered within five (5) days working days after orders are received. Spending unit must be advised in writing if orders will be delayed for any reason. Contractor shall carry an adequate stock to insure such delivery service for the duration of the contract.
9. All deliveries must be made during normal working hours for the delivery location. All shipments of products requiring a material safety data sheet (MSDS) shall include a MSDS included with the product.
10. All bids are to be quoted as F.O.B. destination to any West Virginia location. The minimum order for prepaid shipping to one, in-state destination shall be \$100.00. For orders less than \$100.00, transportation charges (if any) shall be invoiced as a separate charge with the original freight bill attached to the invoice. Agencies may make purchases that fall under the \$100.00 limit at a local source to avoid the delivery charges. Note: Stringing orders to circumvent purchasing regulations is expressly prohibited.
11. Verification of product quality is the responsibility of the Vendor. The State of West Virginia may require certified mail test data, certifications or samples for testing of material bid. All costs of test samples shall be borne by the vendor as well as freight costs to and from the agency.
12. The successful bidder shall not substitute any to her brand of products from those awarded, nor sell any additional items under their contract not specifically covered herein, without prior written permission of the Purchasing Division.
13. All products must be highly efficient and effective in the performance of the tasks for which the product is intended to be used.
14. Successful vendor shall provide quarterly reports and an annual summary showing the quantities, dollar value and agencies (including political subdivisions) which have used this contract. Successful vendor shall also be able to provide (when requested) a report showing the top items purchased during the contract period. This report is mandatory and failure

FILTER07 Specifications

of the successful bidder to supply such reports may be grounds for cancellation of contract.

15. Nonconforming products and materials shall be returned to the vendor at no expense to the State of West Virginia at any time during the life of the contract; such items shall be credited or not invoiced if caught prior to billing.
16. Internet Access – Vendor should be able to provide internet ordering access. If vendor has such capabilities, this should be so noted in the quotation and describe the process for setting up such ordering for state agencies.
17. Vendor Certification must be signed prior to issuance of any contract.

Reminders to Bidders:

Prior to submitting bids, bidders are cautioned to comply with all mandatory bid requirements.

Bidders should provide a quotation for all items listed on the pricing pages. Complete the entire pricing pages, including the name and other requested information on the contract coordinator to respond to agency inquiries on using the contract.

If the price list/catalog makes reference to prices being subject to change, those terms are null and void. All price changes shall be in accordance with Paragraph #5 under General Information.

AFFIDAVIT

West Virginia Code §5A-3-10a states:

No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owned is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions.

"Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION:

The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

LICENSING:

The vendor must be licensed in accordance with any and all state requirements to do business with the state of West Virginia.

CONFIDENTIALITY:

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated.

Vendor's Name: Whites NAPA

Authorized Signature: John White

Date: 6-13-06